

IN THE SENATE

SENATE JOINT MEMORIAL NO. 103

BY EDUCATION COMMITTEE

A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, TO THE SECRETARY OF EDUCATION OF THE UNITED STATES, TO THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the Second Regular Session of the Sixtieth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, we have witnessed a revolution in promoting, protecting and advancing the educational rights of students with disabilities since Congress originally enacted Public Law 94-142, The Education for All Handicapped Children Act in 1975, later to be known as the Individuals with Disabilities Education Act or IDEA; and

WHEREAS, IDEA has helped millions of children with special needs receive a quality education; and

WHEREAS, when Congress enacted the predecessor legislation to IDEA in 1975, the federal government was to pay up to forty percent of each state's "excess cost" of educating children with disabilities; and

WHEREAS, appropriations for IDEA have increased over the last decade, however, federal funding for IDEA has never exceeded eighteen percent of the states' cost; and

WHEREAS, in the current economic downturn, with states facing billions of dollars in funding shortfalls, this long-term federal practice of failing to maximize federal IDEA funding is straining the budgets of school districts and states because local communities and states are forced to pay a higher proportion of special education costs; and

WHEREAS, it is time for the federal government to pay its fair share of the costs of IDEA and fulfill its commitment to students with disabilities, their families, and the states and school districts that provide the students with a free and appropriate public education.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixtieth Idaho Legislature, the Senate and the House of Representatives concurring therein, that Congress is urged to pass and the President sign federal legislation to fully fund forty percent of the costs of IDEA, recognizing that some types of disabilities are much more expensive to address than others and that the distribution of children with severe and more expensive disabilities may cluster in some areas that have outstanding medical facilities or exemplary programs for specific disabilities.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, the Secretary of Education of the United States, the President of the Senate and the Speaker of the House of Repre-

1     sentatives of Congress, and the congressional delegation representing the  
2     State of Idaho in the Congress of the United States.